IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 401 OF 2006

IN

APPEAL FROM ORDER NO. 68 OF 2002

SHRI CHANDRAKANT V. KUNDAIKAR AND ANR. ....Applicants

Versus

SHRI JANARDHAN V. KUNDAIKAR AND ORS. ....Respondents

Mr. R. S. Parshekar, Advocate for the applicants.

Mr. J. A. Lobo, Advocate for the respondents No.1 to 7, 9, 10 to 12.

Coram:- P.V. KAKADE, J.

Date:- 17th October, 2006

P.C.

Heard both sides. This is an application for restoration of first appeal, which was dismissed by this Court on the ground that the appellants did not remain present on consecutive dates fixed for hearing. The applicants sought to explain that the applicant was ill for which medical certificate is brought on record stating that he was ill for 10 days and was advised rest for a priod of 10 days w.e.f. 6.4.2006.

In view of the facts and circumstances, the application is made absolute in terms of its prayer clause and stands disposed of with no order as to costs.

P.V. KAKADE, J.

ssm.